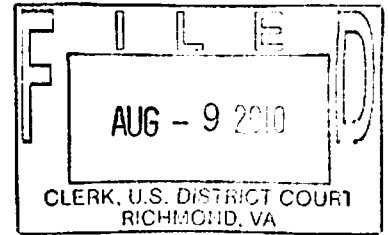


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



ePLUS, INC.,

Plaintiff,

v.

Civil No. 3:09cv620

LAWSON SOFTWARE, INC.

Defendant.

ORDER

Having reviewed the DEFENDANT'S MOTION IN LIMINE NO. 9 TO PREVENT EPLUS FROM RELYING ON DIRECTED CUSTOMER DEMONSTRATION NOT REPRESENTATIVE OF ACTUAL CUSTOMER USE OF THE LAWSON SYSTEM (Docket No. 273) and it being that, under Hilgraeve Corp. v. Symantec Corp., 265 F.3d 1336, 1343 (Fed. Cir. 2001), product claims may be found to infringe when a device is "reasonably capable of satisfying the claim limitations, even though it may also be capable of non-infringing modes of operation," the demonstration is relevant as to the systems claims and the motion is therefore denied.

It is so ORDERED.

/s/ RER
Senior United States District Judge

Richmond, Virginia
Date: August 8, 2010